

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

LAWRENCE HENDON,

06-CV-1438-AS

Plaintiff,

ORDER

v.

B. WHELAN, D. WETTLAUFER,  
D. MUEGGLER

Defendants.

LAWRENCE HENDON  
#5613588  
2723 N. Houghton  
Portland, OR 97217

Plaintiff, *Pro Se*

HARDY MYERS  
Attorney General  
JACQUELINE SADKER  
Assistant Attorney General  
Department of Justice  
1162 Court Street NE  
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Attorneys for Defendants

**BROWN, Judge.**

Magistrate Judge Donald C. Ashmanskas issued an Order (#7) Denying Plaintiff's Motion for Appointment of Counsel (#3) on October 31, 2006. Plaintiff filed timely objections to the Order. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a).

When a party objects to any portion of a Magistrate Judge's nondispositive Order, the district court must make a *de novo* determination of that portion of the Order. 28 U.S.C. § 636(b)(1). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981), *cert. denied*, 455 U.S. 920 (1982).

This Court has carefully considered the Objections of Plaintiff and concludes they do not provide a basis to modify the Magistrate Judge's Order. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error.

**CONCLUSION**

The Court **AFFIRMS** Magistrate Judge Ashmanskas's Order denying Plaintiff's Motion for Appointment of Counsel (#7).

Accordingly, the Court **DENIES** Plaintiff's Motion for Appointment of Counsel (#3).

IT IS SO ORDERED.

DATED this 18<sup>th</sup> day of December, 2006.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge